

State of Arizona  
Senate  
Fifty-second Legislature  
Second Regular Session  
2016

Senate Engrossed  
**FILED**  
**MICHELE REAGAN**  
**SECRETARY OF STATE**

CHAPTER 33

## **SENATE BILL 1190**

AN ACT

AMENDING SECTION 37-1054, ARIZONA REVISED STATUTES; RELATING TO NATURAL  
RESOURCE CONSERVATION DISTRICTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 37-1054, Arizona Revised Statutes, is amended to  
3 read:

4 37-1054. Powers of district

5 A. This state recognizes the special expertise of the districts in the  
6 fields of land, soil, water and natural resources management within the  
7 boundaries of the district. A district is empowered to:

8 1. Conduct surveys, investigations and research relating to the  
9 character of the soil, soil erosion prevention within a farm or ranch,  
10 methods of cultivation, farm and range practices, seeding, eradication of  
11 noxious growths and any other measures that will aid farm and range  
12 operations, disseminate information pertaining thereto, and carry on research  
13 programs with or without the cooperation of this state or its agencies or the  
14 United States or its agencies.

15 2. Conduct demonstration projects within the district on lands owned  
16 or controlled by the state or any of its agencies with the consent and  
17 cooperation of the agency having jurisdiction of the land, and on any other  
18 lands within the district on obtaining the consent of the landowner or the  
19 necessary rights or interests in the land, in order to demonstrate by example  
20 the means, methods and measures by which water, soil and soil resources may  
21 be conserved and soil erosion and soil washing may be prevented and  
22 controlled.

23 3. Cooperate and enter into agreements with a landowner, an operator  
24 or any agency or subdivision of the state or federal government to carry on  
25 programs of watershed improvement, soil erosion prevention, methods of  
26 cultivation, cropping practices, land leveling and improvement on  
27 agricultural lands, and programs limited to methods of proper range use,  
28 reseeding and the eradication of noxious growth on grazing lands, all within  
29 the limits of an individual farm or ranch and subject to the conditions the  
30 supervisors deem necessary.

31 4. Acquire, by purchase, exchange, lease or otherwise, any property,  
32 real or personal, or rights or interest in any property, maintain, administer  
33 and improve any properties acquired, receive income from any property or  
34 right or interest in property and expend it in carrying out the purposes of  
35 this chapter, and sell, lease or otherwise dispose of any property or  
36 interest in property in furtherance of the purposes of this chapter.

37 5. Make available, on the terms it prescribes to landowners within the  
38 district, agricultural and engineering machinery and equipment, fertilizer,  
39 seed and other material or equipment as will assist the landowners to carry  
40 on operations on their lands for the purposes and programs authorized by this  
41 chapter.

42 6. Develop, publish and bring to the attention of landowners within  
43 the district comprehensive plans for the conservation of soil and water  
44 resources within the district that specify in such detail as may be feasible

1 the acts, procedures, performances and avoidances necessary or desirable for  
2 the effectuation of the plans.

3 7. Apply for, receive and spend monies from the Arizona water  
4 protection fund pursuant to title 45, chapter 12 to be used in individual  
5 districts or in cooperation with other districts, persons, cities, towns,  
6 counties, special districts and Indian communities for projects consistent  
7 with title 45, chapter 12.

8 8. Employ agents, engineers, attorneys or other employees not readily  
9 available from existing state agencies.

10 9. Sue and be sued in the name of the district, have a seal, which  
11 shall be judicially noticed, have perpetual succession unless terminated as  
12 provided in this chapter, make and execute contracts and other instruments  
13 necessary or convenient to the exercise of its powers and make, amend and  
14 repeal rules not inconsistent with this chapter to carry into effect its  
15 purposes and powers.

16 10. Accept donations, gifts and contributions in money, services,  
17 materials or otherwise, and use or expend them in carrying on its operations.

18 11. Organize and establish an education center TO INCREASE THE  
19 KNOWLEDGE OF NATURAL RESOURCES IN THIS STATE THROUGH THE FOLLOWING METHODS:

20 (a) OFFERING TECHNICAL GUIDANCE AND TRAINING TO AGRICULTURAL PRODUCERS.

21 (b) PUBLISHING SCHOLARLY MATERIALS.

22 (c) PROVIDING EDUCATIONAL AND TRAINING OPPORTUNITIES, BOTH INSIDE AND  
23 OUTSIDE OF THE DISTRICT.

24 (d) CONDUCTING OR SPONSORING SCIENTIFIC STUDIES THAT AFFECT NATURAL  
25 RESOURCES IN THIS STATE.

26 B. ~~No~~ A provision of law with respect to the acquisition, operation or  
27 disposition of property by other public bodies shall NOT be applicable to a  
28 district organized under this chapter unless specifically stated therein.

29 C. After the formation of any district under this chapter, all  
30 participation thereunder shall be voluntary, notwithstanding any provision of  
31 this chapter to the contrary.

32 D. A district may send to the Arizona water protection fund commission  
33 established by title 45, chapter 12 written recommendations for geographic  
34 areas to be emphasized, issues of concern and measures to implement title 45,  
35 chapter 12. A district that sends written recommendations to the commission  
36 shall request information from at least the following:

37 1. The director of the department of water resources and the state  
38 land commissioner.

39 2. The federal and state fish, wildlife, recreation and natural  
40 resource agencies.

41 3. County and municipal entities.

42 4. The public.

43 E. The district shall develop procedures to ensure adequate  
44 participation in the public involvement process prescribed by subsection D of  
45 this section.

Passed the House March 16, 20 16,

by the following vote: 60 Ayes,

0 Nays, 0 Not Voting

[Signature]  
Speaker of the House

[Signature]  
Chief Clerk of the House

Passed the Senate February 8, 20 16,

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

[Signature]  
President of the Senate

[Signature]  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

17th day of March, 20 16.

at 1:58 o'clock P M.

[Signature]  
Secretary to the Governor

Approved this 17th day of

March, 20 16,

at 2:51 o'clock P M.

[Signature]  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 18 day of March, 20 16.

at 9:06 o'clock A M.

[Signature]  
Secretary of State

S.B. 1190